



DEPARTMENT OF LABOR  
Employment and Training Administration

Notice of Determinations Regarding Eligibility  
to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 USC 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of December 9, 2013 through December 13, 2013.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the sales or production, or both, of such firm have decreased absolutely; and
- (3) One of the following must be satisfied:
  - (A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;
  - (B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;
  - (C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;
  - (D) imports of articles like or directly competitive with articles which are produced

directly using services supplied by such firm,  
have increased; and

- (4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) One of the following must be satisfied:

- (A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

- (B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

- (3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

- (1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

- (3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

- (1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and
- (3) either-
  - (A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or
  - (B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

- (1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in--

- (A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);
  - (B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or
  - (C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));
- (2) the petition is filed during the 1-year period beginning on the date on which--
  - (A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the Federal Register under section 202(f)(3); or
  - (B) notice of an affirmative determination described in subparagraph (1) is published in the Federal Register; and
- (3) the workers have become totally or partially separated from the workers' firm within--
  - (A) the 1-year period described in paragraph (2); or
  - (B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

#### AFFIRMATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
83,030	J.R. Simplot, Food Group, BD Employment Solutions, Inc.	Nampa, ID	August 14, 2012
83,030A	J.R. Simplot, Food Group, BBSI and American Staffing	Heyburn, ID	August 14, 2012
83,030B	J.R. Simplot, Food Group, BBSI	Aberdeen, ID	August 14, 2012
83,030C	J.R. Simplot, Food Group, BD Employment Solutions and Gem State Staffing	Caldwell, ID	August 14, 2012
83,167	Flotation Technologies LLC, Manpower and Bonney Staffing	Biddeford, ME	October 23, 2012
83,234	Keywell LLC	West Mifflin, PA	November 20, 2012

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
83,082	DST Retirement Solutions, LLC	Kansas City, MO	September 13, 2012
83,090	IBM	Endicott, NY	September 17,

	Corporation, Global Business Services, Sector Support Specialists Group		2012
83,100	Oakley Manufacturing, Oakley, Inc., Luxottica, U.S. Holdings Corporation, Alar and Aerotek	Foothill Ranch, CA	September 19, 2012
83,146	Toho Tenax America, Inc., Alternate Staffing, Account Temps and Randstad Staffing	Rockwood, TN	October 3, 2012
83,158	NCR	Bentonville, AR	October 7, 2012
83,183	Page 1 Solutions, LLC, Website Development, Search Engine Optimization and Pay Per Click Dept.	Golden, CO	October 28, 2012
83,186	Ruskin Company, Air Distribution Technologies, Inc., Personnel Temporary, Extras Support	Fairmont, WV	October 30, 2012
83,192	Osram Sylvania, Inc.	Wellsboro, PA	October 21, 2012
83,199	Northeast Utilities Service Company, Information	Berlin, CT	November 5, 2012

	Technology Division, IBM, Infosys, The Ergonomic Group, etc.		
83,210	KCI USA, Inc., Teksystems, Modis	San Antonio, TX	November 7, 2012
83,210A	KCI USA, Inc.	Charlotte, NC	November 7, 2012
83,210B	KCI USA, Inc.	Dillon, MT	November 7, 2012
83,244	Inalfa Roof Systems Grand Blanc, Inalfa Roof Systems, Inc., Aerotek and Sentech	Holly, MI	November 25, 2012
83,246	Computershare Inc., Edison Call Center, Express Employment Professionals and Northpointe, etc.	Edison, NJ	November 26, 2012
83,247	AVX Corporation, Kyocera Group Company, IHT Staffing and Huff Consulting	Myrtle Beach, SC	February 4, 2014
83,247A	AVX Corporation, Kyocera Group Company	Conway, SC	February 4, 2014
83,247B	South Coast Networks, Working On-Site at AVX Corporation, Kyocera Group Company	Myrtle Beach, SC	November 20, 2012

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
83,198	IPS Operations, Hewlett Packard	Sandston, VA	November 4, 2012

NEGATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or (b)(1), or (c)(1) (employment decline or threat of separation) of section 222 has not been met.

TA-W number	Subject firm	Location	Impact date
83,125	Acushnet Company	New Bedford, MA	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.



TA-W number	Subject firm	Location	Impact date
83,195	Kimball Electronics, Inc., Kimball Electronics Group, Inc., Jasper Division, Spartan Staffing	Jasper, IN	
83,221	State Industries, LLC	Eugene, OR	

The investigation revealed that the criteria under paragraphs (a) (2) (A) (increased imports) and (a) (2) (B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
83,048	Goldman Sachs & Company, Operations Division, Asset Staffing, Control Associates/Constantin, etc.	New York, NY	
83,102	Pearl Pressman Liberty Communications Group, Inc.	Philadelphia, PA	
83,106	Janesville Acoustics, Jason Incorporated, Nesco LLC	Norwalk, OH	

DETERMINATIONS TERMINATING INVESTIGATIONS OF PETITIONS FOR WORKER ADJUSTMENT ASSISTANCE

After notice of the petitions was published in the Federal Register and on the Department's website, as

required by Section 221 of the Act (19 USC 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W number	Subject firm	Location	Impact date
83,239	Fenton Gift Shops, Inc.	Williamstown, WV	

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

TA-W number	Subject firm	Location	Impact date
83,280	Ocwen Loan Servicing, LLC, Ocwen Financial Corporation	Fort Washington, PA	

I hereby certify that the aforementioned determinations were issued during the period of December 9, 2013 through December 13, 2013. These determinations are available on the Department's website [tradeact/taa/taa\\_search\\_form.cfm](http://tradeact/taa/taa_search_form.cfm) under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

Signed at Washington D.C. this 23<sup>rd</sup> day of December 2013.

/s/ Michael W. Jaffe

---

MICHAEL W. JAFFE  
Certifying Officer, Office  
of Trade Adjustment Assistance  
4510-FN-P

[FR Doc. 2014-00185 Filed 01/09/2014 at 8:45 am; Publication  
Date: 01/10/2014]